

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

FILED CLERK

U.S. DISTRICT COURT

2011 MAR 11 PM 12:30

TEXAS EASTERN

TRACBEAM, L.L.C.

Plaintiff

v.

AT&T Inc., et al

Defendant

BY _____

Civil Action No. 6:11cv00096

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Sprint Nextel Corporation

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

S. Calvin Capshaw
CAPSHAW DERIEUX, LLP
114 E. Commerce Ave.
Gladewater, Texas 75647

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 2/25/11



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) _____
 was received by me on (date) _____.

☐ I personally served the summons on the individual at (place) _____
 _____ on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) TERESA BURNS, who is
 designated by law to accept service of process on behalf of (name of organization) SPRINT NEXTEL CORP.
(CORP. SERVICE CO. REG. AGENT) on (date) 3/2/2011; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 3/2/2011

Terry Breeze
 Server's signature

TERRY BREEZE
 Printed name and title
3601 SW 29th St. #132
TOPEKA, KS. 66614
 Server's address

Additional information regarding attempted service, etc: